

FOR UTILITY/DESIGN  
CIP/PCT NATIONAL/PLANT  
ORIGINAL/SUBSTITUTE/SUPPLEMENTAL  
DECLARATIONS

RULE 63 (37 C.F.R. 1.6)  
DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CUSHMAN <sup>#3</sup>  
FORM

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter, which is claimed and for which a patent is sought on the INVENTION ENTITLED GENERAL METHOD TO CLONE HYBRID RESTRICTION  
ENDONUCLEASES USING lig GENE

the specification of which (CHECK applicable BOX(ES))

-> [ ] is attached hereto.

-> [X] was filed on December 20, 1995

as U.S. Application No. 08 / 575,361

BOX(ES) -> [ ] was filed as PCT International Application No. PCT/

on

-> -> and (if applicable to U.S. or PCT application) was amended on

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56. I hereby claim foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate filed by me or my assignee disclosing the subject matter claimed in this application and having a filing date (1) before that of the application on which priority is claimed, or (2) if no priority claimed, before the filing date of this application:

PRIOR FOREIGN APPLICATION(S)

Number	Country	Day/MONTH/Year Filed	Date first Laid-open or Published	Date Patented or Granted	Priority Claimed Yes No
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I hereby claim domestic priority benefit under 35 U.S.C. 120/365 of the indicated United States applications listed below and PCT international applications listed above or below and, if this is a continuation-in-part (CIP) application, insofar as the subject matter disclosed and claimed in this application is in addition to that disclosed in such prior applications, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of each such prior application and the national or PCT international filing date of this application:

PRIOR U.S. PROVISIONAL, NONPROVISIONAL AND/OR PCT APPLICATION(S)

Application No. (series code/serial no.)	Day/MONTH/Year Filed	Status pending, abandoned, patented	Priority Claimed Yes No
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint Cushman Darby & Cushman, L.L.P., 1100 New York Avenue, N.W., Ninth Floor, East Tower, Washington, D.C. 20005-3918, telephone number (202)861-3000 (to whom all communications are to be directed), and the below-named persons (of the same address) individually and collectively my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent, and I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Cushman Darby & Cushman in writing to the contrary.

Paul N. Kokulis	16773	David W. Brinkman	20817	Chris Comuntzis	31097	Lynn E. Eccleston	35861
Raymond F. Lippitt	17519	George M. Sirilla	18221	Wallace G. Walter	27843	David A. Jakopin	32995
G. Lloyd Knight	17698	Donald J. Bird	25323	Lawrence Harbin	27644	Mark G. Paulson	30793
Carl G. Love	18781	W. Warren Taltavull	25647	Paul E. White, Jr.	32011	John P. Moran	30906
Edgar H. Martin	20534	Peter W. Gowdey	25872	Michelle N. Lester	32331	Timothy J. Klima	34852
William K. West, Jr.	22037	Dale S. Lazar	28872	Jeffrey A. Simenauer	31993	James D. Berquist	34776
Kevin E. Joyce	20508	Glenn J. Perry	28458	Robert A. Molan	29834		
Edward M. Prince	22429	Kendrew H. Colton	30368	G. Paul Edgell	24238		

1. INVENTOR'S SIGNATURE: S. Chandrasegaran Date Jan 17/96  
Inventor's Name (typed) Srinivasan CHANDRASEGARAN USA

Residence (City) Baltimore MD (State/Foreign Country) Maryland  
Post Office Address (Include Zip Code) 4 East 32nd Street, #206, Baltimore, MD 21218

2. INVENTOR'S SIGNATURE: \_\_\_\_\_ Date \_\_\_\_\_  
Inventor's Name (typed) \_\_\_\_\_

Residence (City) \_\_\_\_\_ (State/Foreign Country) \_\_\_\_\_  
Post Office Address (Include Zip Code) \_\_\_\_\_

3. INVENTOR'S SIGNATURE: \_\_\_\_\_ Date \_\_\_\_\_  
Inventor's Name (typed) \_\_\_\_\_

Residence (City) \_\_\_\_\_ (State/Foreign Country) \_\_\_\_\_  
Post Office Address (Include Zip Code) \_\_\_\_\_

(FOR ADDITIONAL INVENTORS, check box [ ] and attach sheet (CDC-116.2) for same information for each re signature, name, date, citizenship, residence and address.)

- (a) ... Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the [Patent and Trademark] Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability... (b) information is material to patentability when it is not cumulative and (1) It also establishes by itself, or in combination with other information, a prima facie case of unpatentability of a claim or (2) refers, or is inconsistent with, a position the applicant takes in: (i) Opposing an argument of unpatentability relied on by the Office, or (ii) Asserting an argument of patentability.

PATENT LAWS 35 U.S.C.

**§102. Conditions for patentability; novelty and loss of right to patent**

A person shall be entitled to a patent unless--

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent or
- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States, or
- (c) he has abandoned the invention, or
- (d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months\* before the filing of the application in the United States, or
- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent, or
- (f) he did not himself invent the subject matter sought to be patented, or
- (g) before the applicant's invention thereof the invention was made in this country by another who had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other.

**§103. Condition for patentability; non-obvious subject matter**

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made. Subject matter developed by another person, which qualified as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

\* Six months for Design Applications (35 U.S.C. 172).

Inventor(s): CHANDRASEGARAN, Srinivasan

Appln. No.: 08 / 575361 or Patent No.

Filed: December 20, 1995 or Issued:

Title: GENERAL METHOD TO CLONE HYBRID RESTRICTION ENDONUCLEASES USING *lig* GENE

Att. Dkt.

213779 / C-1274

M# / Client Ref.

I hereby declare that I am

the owner of the small business concern identified below:

an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN SANGAMO BIOSCIENCES

ADDRESS OF CONCERN 9500 Marina Village Parkway, Suite 100

Alameda, CA 94501

**I hereby declare** that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

**I hereby declare** that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled: GENERAL METHOD TO CLONE HYBRID RESTRICTION ENDONUCLEASES USING *lig* GENE

by inventor(s) Srinivasan CHANDRASEGARAN

described in

X ->[ ] the Specification filed herewith,

one ->[ X ] Application No. 08 / 575,361, filed December 20, 1995

box ->[ ] Patent No., issued

If the rights held by the above identified small business concern are not exclusive, each small entity individual, concern or organization having rights to the invention is listed in (A) and (B) below and no rights to the invention are held by any person, other than the inventor, who could not qualify under 37 CFR 1.9(c) as an independent inventor if that person had made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

(A) FULL NAME of assignee/licensee/grantee/conveyee\*

ADDRESS

X proper box: [ ] INDIVIDUAL [ ] SMALL BUSINESS CONCERN [ ] NONPROFIT ORGANIZATION

(B) FULL NAME of assignee/licensee/grantee/conveyee\*

ADDRESS

X proper box: [ ] INDIVIDUAL [ ] SMALL BUSINESS CONCERN [ ] NONPROFIT ORGANIZATION

\*NOTE: Separate verified statement is required from each person, concern or organization named in (A) and (B) above having rights to the invention, averring to his/her/its status as a small entity. (37 CFR 1.27)

I acknowledge the duty to file, in this case, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Edward Lanphier, Ph.D.

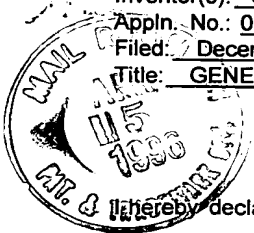
TITLE OF PERSON OTHER THAN OWNER President

ADDRESS OF PERSON SIGNING 9500 Marina Village Parkway, Suite 100, Alameda, CA 94501

SIGNATURE

DATE

2/29/96



Inventor(s): CHANDRASEGARAN Srinivasan (Atty. Dkt. No. 213779 / C-1274)  
Appln. No.: 0 8 / 575,361 or Patent No.:  
Filed: December 20, 1995 or Issued:  
Title: GENERAL METHOD TO CLONE HYBRID RESTRICTION ENDONUCLEASES USING *lig* GENE M# / Client Ref.

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(d)) - **NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION THE JOHNS HOPKINS UNIVERSITY  
ADDRESS OF ORGANIZATION 3400 NORTH CHARLES STREET  
BALTIMORE, MD 21218

TYPE OF ORGANIZATION

- ☒ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION  
☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) AND 501(c)(3))  
☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA  
(NAME OF STATE \_\_\_\_\_)  
(CITATION OF STATUTE \_\_\_\_\_)  
☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) AND 501(c)(3)) IF  
LOCATED IN THE UNITED STATES OF AMERICA  
☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED  
STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA  
(NAME OF STATE \_\_\_\_\_)  
(CITATION OF STATUTE \_\_\_\_\_)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, with regard to the invention entitled GENERAL METHOD TO CLONE HYBRID RESTRICTION ENDONUCLEASES USING *lig* GENE by inventor(s) Srinivasan Chandrasegaran described in

x -> ☐ the Specification filed herewith,  
one -> ☒ Application No. 0 8 / 575,361, filed December 20, 1995  
box -> ☐ Patent No. \_\_\_\_\_, issued \_\_\_\_\_

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each small entity individual, concern or organization having rights to the invention is listed below in (A) and (B) and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

(A) FULL NAME of assignee/licensee/grantee/conveyee\* SANGAMO BIOSCIENCES

ADDRESS Suite 100, 950 Marina Village Parkway, Alameda, CA 94501

X proper box: ☐ INDIVIDUAL ☒ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

(A) FULL NAME of assignee/licensee/grantee/conveyee\* \_\_\_\_\_

ADDRESS \_\_\_\_\_

X proper box: ☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

\*NOTE: Separate verified statement is required from each person, concern or organization named in (A) and (B) above having rights to the invention, averring to his/her/its status as a small entity. (37 CFR 1.27)

I acknowledge the duty to file, in this case, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Theodore O. Poehler  
TITLE OF ORGANIZATION THE JOHNS HOPKINS UNIVERSITY  
ADDRESS OF PERSON SIGNING 3400 North Charles Street  
Baltimore, MD 21218

SIGNATURE Theodore O. Poehler DATE Febr. 23, 1996